

DECLARATION AND POWER OF ATTORNEY FOR REISSUE PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

INITIALIZATION MECHANISM FOR SYMMETRIC ARBITRATION AGENTS

the specification of which is attached hereto and was issued as U.S. Patent No. 5,961,621 (the "original patent") from application number 08/ 827,540, filed 3/28/1997 (the "original application").

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the original application, that the same was not in public use or on sale in the United States of America more than one year prior to the original application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of the original application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to the original application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>	
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>          </u>	<u>          </u>
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>

I hereby claim the benefit under title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below

<u>(Application Number)</u>	<u>Filing Date</u>
<u>                    </u>	<u>                    </u>

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Number)	Filing Date	(Status -- patented, pending, abandoned)
(Application Number)	Filing Date	(Status -- patented, pending, abandoned)

I hereby appoint Farzad E. Amini, Reg. No. P42,261; Aloysius T. C. AuYeung, Reg. No. 35,432; Amy M. Armstrong, Reg. No. P42,265; William Thomas Babbitt, Reg. No. 39,591; Carol F. Barry, Reg. No. P41,600; Jordan Michael Becker, Reg. No. 39,602; Bradley J. Bereznak, Reg. No. 33,474; Michael A. Bernadicou, Reg. No. 35,934; Roger W. Blakely, Jr., Reg. No. 25,831; Gregory D. Caldwell, Reg. No. 39,926; Kent M. Chen, Reg. No. 39,630; Lawrence M. Cho, Reg. No. 39,942; Yong S. Choi, Reg. No. P43,324; Thomas M. Coester, Reg. No. 39,637; Roland B. Cortes, Reg. No. 39,152; Barbara Bokanov Courtney, Reg. No. P42,442; Michael Anthony DeSanctis, Reg. No. 39,957; Daniel M. De Vos, Reg. No. 37,813; Robert Andrew Diehl, Reg. No. 40,992; Tarek N. Fahmi, Reg. No. 41,402; James Y. Go, Reg. No. 40,621; Richard Leon Gregory, Jr., P42,607; Dinu Gruia, Reg. No. P42,996; David R. Halvorson, Reg. No. 33,395; Thomas A. Hassing, Reg. No. 36,159; Phuong-Quan Hoang, P41,839; Willmore F. Holbrow III, Reg. No. P41,845; George W Hoover II, Reg. No. 32,992; Eric S. Hyman, Reg. No. 30,139; Dag H. Johansen, Reg. No. 36,172; William W. Kidd, Reg. No. 31,772; Michael J. Mallie, Reg. No. 36,591; Andre L. Marais, under 37 C.F.R. § 10.9(b); Paul A. Mendonsa, Reg. No. P42,879; Darren J. Milliken, P42,004; Thinh V. Nguyen, P42,034; Kimberley G. Nobles, Reg. No. 38,255; Michael A. Proksch, Reg. No. P43,021; Babak Redjaian, P42,096; James H. Salter, Reg. No. 35,668; William W. Schaal, Reg. No. 39,018; James C. Scheller, Reg. No. 31,195; Anand Sethuraman, Reg. No. P43,351; Charles E. Shernwell, Reg. No. 40,171; Maria McCormack Sobrino, Reg. No. 31,639; Stanley W. Sokoloff, Reg. No. 25,128; Judith A. Szepesi, Reg. No. 39,393; Vincent P. Tassinari, Reg. No. P42,179; Edwin H. Taylor, Reg. No. 25,129; George G. C. Tseng, Reg. No. 41,355; Lester J. Vincent, Reg. No. 31,460; John Patrick Ward, Reg. No. 40,216; Stephen Warhola, Reg. No. P43,237; Ben J. Yorks, Reg. No. 33,609; and Norman Zafman, Reg. No. 26,250; my attorneys, of BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP, with offices located at 12400 Wilshire Boulevard, 7th Floor, Los Angeles, California 90025, telephone (310) 207-3800, and Alan K. Aldous, Reg. No. 31,905; Robert D. Anderson, Reg. No. 33,826; Joseph R. Bond, Reg. No. 36,458; Richard C. Calderwood, Reg. No. 35,468; Jeffrey S. Draeger, Reg. No. 41,000; Cynthia Thomas Faatz, Reg. No. 39,973; Sean Fitzgerald, Reg. No. 32,027; Seth Z. Kalson, Reg. No. 40,670; David J. Kaplan, Reg. No. 41,105; Leo V. Novakoski, Reg. No. 37,198; Naomi Obinata, Reg. No. 39,320; Thomas C. Reynolds, Reg. No. 32,488; Steven P. Skabrat, Reg. No. 36,279; Howard A. Skaist, Reg. No. 36,008; Steven C. Stewart, Reg. No. 33,555; Raymond J. Werner, Reg. No. 34,752; and Charles K. Young, Reg. No. 39,435; my patent attorneys, and Thomas Raleigh Lane, Reg. No. P42,781; Calvin E. Wells, Reg. No. P43,256; my patent agents, of INTEL CORPORATION; and James R. Thein, Reg. No. 31,710, my patent attorney; with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

I verily believe the original patent to be wholly or partially inoperative by reason that the patent claims less than I had a right to claim in the patent. The claim contains excess limitations not necessary for patentability. For example, the claim contains excess limitations not necessary for distinguishing over the prior art. Also, the claim fails to cover embodiments of the invention as claimed in the above-identified reissue application. The error arose during the drafting of the original application and during subsequent amendments in connection with the prosecution of the original application which resulted in the issuance of the patent. Applicants' attorneys thought that only certain claims should be pursued based on what is now believed to be a misunderstanding of the area of the law pertaining to implied licenses and patent exhaustion, and thus limited the claims as indicated above. The error arose without any deceptive intention on my part.

I further acknowledge my duty to disclose information which is material to the examination of the application under 37 CFR § 1.56.

I hereby declare that all statements made herein of my own knowledge are true and that all statements

made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor William S. Wu

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

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(City, State) (Country)

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Full Name of Second Inventor Peter D. MacWilliams

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

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Full Name of Third Inventor Stephen Pawlowski

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

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Full Name of Fourth Inventor Muthurajan Jayakumar

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

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Title 37, Code of Federal Regulations, Section 1.56  
Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclosure information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclosure all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made or record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of

unpatentability of a claim; or

- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of: )  
 )  
William S. Wu et al. )  
 )  
Serial No.: not yet assigned ) Examiner: not yet assigned  
Reissue of US Patent 5,961,621 )  
 )  
Filed: herewith ) Art Unit: not yet assigned  
 )  
For: MECHANISM FOR )  
EFFICIENTLY PROCESSING )  
DEFERRED ORDER-DEPENDENT )  
MEMORY ACCESS TRANSACTIONS )  
IN A PIPELINED SYSTEM )

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**CONSENT OF ASSIGNEE TO REISSUE AND STATEMENT OF OWNERSHIP**

Hon. Commissioner of  
Patent & Trademarks  
Washington, D.C. 20231

Dear Sir:

Applicant respectfully hereby provides a statement of ownership and a statement of consent of the assignee for the above referenced reissue application in compliance with MPEP § 1410.01.

Intel Corporation is the assignee of U.S. Patent No. 5, 961,621, as is established by the assignment of application serial number 08/827,540 to Intel Corporation, and the assignment of US Patent No. 5, 961,621 is recorded at the Patent Office at reel 8759, frames 0783.

Intel Corporation, assignee of U.S. Patent No. 5, 961,621, consents to the reissue of U.S. Patent No. 5,961,621 and consequently consents to the filing of the present reissue application for the reissue of U.S. Patent No. 5,961,621.

As Director of Patents for Intel Corporation, I am empowered to sign a submission establishing ownership interest in a patent for Intel Corporation.

Thomas C. Reynolds

10-3-01

Thomas C. Reynolds  
Director of Patents  
Intel Corporation

Date

If there is a deficiency in fees, please charge our Deposit Acct. No. 02-2666.

Respectfully submitted,

Date: 10-3-01

Jeffrey S. Draeger  
Jeffrey S. Draeger, Reg. No. 41,000

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8598

"Express Mail" mailing label number: EL617209823US

Date of Deposit: October 4, 2001

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

Conny Willeesen

(Typed or printed name of person mailing paper or fee)

Conny Willeesen

(Signature of person mailing paper or fee)

10-4-01

(Date signed)



Docket No.: 42390.P4049R

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of:	)	
	)	
William S. Wu et al.	)	
	)	
Serial No.: not yet assigned	)	Examiner: not yet assigned
Reissue of US Patent 5,961,621	)	
	)	
Filed: herewith	)	Art Unit: not yet assigned
	)	
For: MECHANISM FOR	)	
EFFICIENTLY PROCESSING	)	
DEFERRED ORDER-DEPENDENT	)	
MEMORY ACCESS TRANSACTIONS	)	
IN A PIPELINED SYSTEM	)	

**Offer to Surrender Original Patent under MPEP § 1416 and 37 CFR § 1.178**

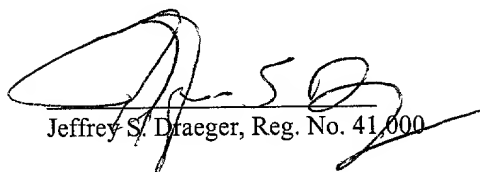
Hon. Commissioner of  
Patent & Trademarks  
Washington, D.C. 20231  
Sir:

The original Letters Patent for MECHANISM FOR EFFICIENTLY PROCESSING DEFERRED ORDER-DEPENDENT MEMORY ACCESS TRANSACTIONS IN A PIPELINED SYSTEM, United States Letters Patent No. 5,961,621, is not being submitted with the accompanying reissue application. It's surrender, however, is hereby proffered and it will be forwarded to the United States Patent and Trademark Office upon being informed that the reissue application is in condition for allowance.

If there is a deficiency in fees, please charge our Deposit Acct. No. 02-2666.

Respectfully submitted,

Date: 10-3-01

  
Jeffrey S. Draeger, Reg. No. 41,000

12400 Wilshire Boulevard  
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"Express Mail" mailing label number: EL617209823US

Date of Deposit: October 4, 2001

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

Conny Willese

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

Conny Willese

10-4-01

(Date signed)

650/2004-10-04